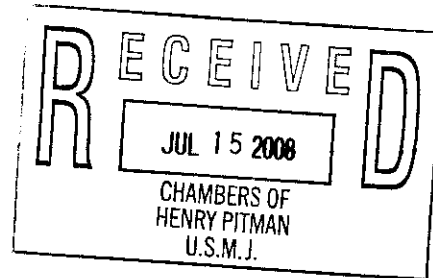


U.S. Department of Justice

United States Attorney
Southern District of New York86 Chambers Street
New York, New York 10007

July 14, 2008

By HandHon. Henry B. Pitman
United States Magistrate Judge
United States Courthouse
500 Pearl Street, Room
New York, New York 10007Re: Eusebio Gonzales v. Astrue
08 Civ. 3595 (LTS) (HBP)

Dear Judge Pitman:

This Office represents the Commissioner of Social Security, defendant in the above-referenced action. We write respectfully to request an extension of defendant's time to answer or move with respect to the complaint.

This Office was served with a copy of the complaint on May 20, 2008, and the answer is due on July 21, 2008. To date, however, we have not received the administrative record in this case. Without a copy of the certified administrative record, this Office cannot assess the merits of the action nor answer plaintiff's complaint. See 42 U.S.C. § 405(g). In view of the foregoing, we respectfully request that defendant's time to answer the complaint be extended sixty days, to September 19, 2008. No previous extensions have been sought in this case. This Office was not able to contact the plaintiff pro se to obtain his consent to this request.

APPLICATION GRANTED

SO ORDERED

HENRY PITMAN
UNITED STATES MAGISTRATE JUDGE

7-15-08

Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:



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cc: Eusebio Gonzales
(By Mail)